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**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

NOT FOR PUBLICATION

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

ALEJANDRO LEONIDES ALONZAO; et
al.,

Petitioners,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 05-71610

Agency Nos. A96-048-575
A96-048-576
A96-048-577

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted February 21, 2006 **

Before: SCHROEDER, Chief Judge, GOODWIN and RAWLINSON, Circuit Judges.

Respondent's motion for summary disposition is construed as a motion for summary disposition in part and a motion to dismiss in part. So construed, the motion is granted because the questions raised by this petition for review with regard to

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

** This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

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petitioner Analia Elizabeth Calvillo Avina are so insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard). Accordingly, the petition for review with regard to petitioner Analia Elizabeth Calvillo Avina is denied.

Further, we have reviewed the opposition to the motion for summary disposition and petitioners' opening brief, and we conclude that petitioners Alejandro Leonides Alonzao and Maria Concepcion Aviva have failed to raise a colorable constitutional claim to invoke our jurisdiction over this petition for review. *See Torres-Aguilar v. INS*, 246 F.3d 1267, 1271 (9th Cir. 2001). Accordingly, respondent's motion to dismiss this petition for review for lack of jurisdiction with regard to petitioners Alejandro Leonides Alonzao and Maria Concepcion Aviva is granted. *See* 8 U.S.C. § 1252(a)(2)(B)(i); *Romero-Torres v. Ashcroft*, 327 F.3d 887, 892 (9th Cir. 2003); *Montero-Martinez v. Ashcroft*, 277 F.3d 1137, 1144 (9th Cir. 2002).

PETITION FOR REVIEW DENIED in PART and DISMISSED in PART